

# Notice of Allowability

Application No.

10/524,436

Examiner

Tan Le

Applicant(s)

NIKOLIC, LJUBOMIR

Art Unit

3632

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/14/05.
2. ☒ The allowed claim(s) is/are 2-5,8,9 and 11.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                      |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date <u>2/14/05</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                  | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

### **DETAILED ACTION**

This is the first office action for Application No. 10/524,436, filed 2/14/05.

The information disclosure statement (IDS) submitted on 2/14/05 is acknowledged. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claims 2-5, 8, 9 and 11 are allowed with the following Examiner's amendment:

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Applicant Ms. Nikolic Ljubomir on March 6, 2007.

The application has been amended as follows:

Claim 1 has been canceled.

Claim 2, line 1, "of claim 1" has been replaced by – of claim 11--

Claim 2, line 2, after wherein the foot (13), "being" has been canceled and – is – inserted.

Claim 2, line 3 "generally" has been deleted.

Claim 2, line 4, "the longitudinal axes" has been replaced by -- longitudinal axes -

Claim 2, line 5, "the longitudinal axes" has been replaced by -- longitudinal axes--

Claim 3, line 1, "having" has been deleted and -- has -- inserted.

Claim 4, line 2, "generally" has been be deleted.

Claim 5, line 1, "having" has been deleted and -- has -- inserted.

Claim 5, line 3, "generally " has been deleted.

Claim 6 has been canceled.

Claim 7 has been canceled.

Claim 8, line 1, "of claim 7" has been replaced by -- of claim 5 -- .

Claim 10 has been canceled.

Claim 11 has been added as follows:

-- Claim 11 (New): A stand for holding an engine or gearbox comprising a base structure (1) placed on wheels (6), a immovable column (7) firmly attached by lower end to said base structure (1) by strengthening means (8), a horizontal immovable tube (9) firmly attached to the upper end of said immovable column (7) and provided with generally a hole (10) to receive lockdown means (11); a movable support assembly (12) including a foot (13), a vertical movable support member (17) and a horizontal movable support member (18); said movable support assembly (12) adjusted to move by foot (13) being located generally around the leg (3) of said base structure (1) and capable of sliding freely along the length of leg (3) without varying the width of

Art Unit: 3632

the base structure (1) and independently of said wheels (6); a pair of adjustable and rotatable carrier assemblies (20) placed towards interior of stand in relation to and between column (7) and vertical support member (17), each of said pair carrier assemblies (20) including a rotatable and adjustable arm (21) being rotatably and adjustably threaded through said horizontal immovable tube (9) and said horizontal movable support member (18) respectively to make by horizontally pulling of said arm(s) the necessary distance between said column (7) and/or vertical support member (17) and involve side(s) of engine or gearbox so that said carrier assemblies and engine or gearbox may be rotated in 360 degrees in desired position; said arms (21) having a plurality of holes (22) to receive said lockdown means (11) previously threaded through existing respective hole (10 and/or 19) to lock carrier assemblies (20) and mounted engine or gearbox in desired position; each of said carrier assemblies (20) further including a connecting member (23) having a first end and a second end, each of said first ends firmly attached to first end of said respective arms (21); each of carrier assemblies (20) including a carrying plate (24) having a first largest side and a second largest side, the first largest side firmly attached to each second end of said respective connecting members (23), said second largest side to be coupled with first end of said adjustable handles (26); each of carrier assemblies (20) further including a pair of adjustable handles (26) having a first end and second end, each of said handles (26) being adjustably coupled by said first end to respective

Art Unit: 3632

carrying plate (24) such that said second end of said handles (26) corresponds with and to be coupled to engine or gearbox rear side such to be allowed clear access to all sides of engine or gearbox.; each of said pair of carrier assemblies (20) includes sets of adapters (34) for facilitating manual rotation of engine and gearbox respectively. -- .

### REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

One major difference in independent claim 11 not found in the closest prior art of Smith et al. (US 6,581,920) or Kaplan et al. (US 3,218,056) is a pair of adjustable and rotatable carrier assemblies placed towards interior of the stand in relation to and between column and vertical support member; wherein each carrier assembly has the characterizing features as recited in the independent claim 11, which is not found to be anticipate or render the claim obvious.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 3632

US 2006/0113435 to Nikolic

US 2003/0062663 to Fox

3,218,056 to Kaplan et al.

1,600,835 to Manley

4,530,492 to Bork

1,812,585 to Collins

5,851,007 to Swartzlander et al.

6,581,920 to Smith et al.

3,977,662 to Cook

The above patents disclose various types of engine stands or holders assemblies.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tan Le whose telephone number is (571) 272-6818.

The examiner can normally be reached on Mon. through Fri. from 9:00 AM-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Friedman can be reached on (571) 272-6842. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3632

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Tan Le  
March 7, 2007.

Carl D. Friedman  
Supervisory Patent Examiner  
Group 3600